

FIRST REGULAR SESSION

SENATE BILL NO. 544

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR SCHMITT.

Read 1st time February 26, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

1983S.011

AN ACT

To repeal section 67.304, RSMo, and to enact in lieu thereof one new section relating to public safety officers soliciting charitable contributions.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 67.304, RSMo, is repealed and one new section enacted
2 in lieu thereof, to be known as section 67.304, to read as follows:

67.304. 1. The governing body of any municipality or county may
2 authorize any organization to stand in a road in such municipality or county to
3 solicit a charitable contribution. Any organization seeking authorization under
4 this section shall file a written application with the governing body no later than
5 the eleventh day before the solicitation is to begin. The application shall include:

- 6 (1) The date and time the solicitation is to occur;
- 7 (2) The location of the solicitation; and
- 8 (3) The number of solicitors to be involved at each location of the
9 solicitation.

10 **2. (1) Notwithstanding the provisions of subsection 1 of this**
11 **section to the contrary, the governing body of any municipality or**
12 **county shall authorize an organization to stand in a road in such**
13 **municipality or county to solicit a charitable contribution if:**

14 **(a) The persons who will be engaged in soliciting such charitable**
15 **contributions are public safety officers and such officers shall only be**
16 **soliciting within the service area of the political subdivision by which**
17 **they are employed;**

18 **(b) The organization files a written application with the**
19 **governing body no later than the eleventh day before the solicitation**

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 is to begin;

21 (c) The application includes:

22 a. The date and time the solicitation is to occur;

23 b. The location of the solicitation;

24 c. The number of solicitors to be involved at each location of the
25 solicitation;

26 d. Proof of a valid liability insurance policy in an amount of at
27 least one million dollars insuring the charity, the political subdivision
28 employing the public safety officers, and the municipality or county
29 authorizing the solicitation against bodily injury and property damage
30 arising out of or in connection with the solicitation.

31 (2) For the purposes of this subsection, the term "public safety
32 officer" shall mean any law enforcement officer, firefighter, or other
33 person employed to protect the public safety of a political subdivision.

34 (3) The governing body shall approve the application within five
35 business days of the filing date of the application if all requirements of
36 this subsection are met.

37 3. The governing body may require the applicant to obtain a permit or to
38 pay a reasonable fee to receive the authorization.

39 [3.] 4. Unless otherwise required by subsection 2 of this section,
40 the governing body may require proof of liability insurance in the amount
41 determined by the municipality or county to cover damages that may arise from
42 the solicitation. The insurance shall provide coverage against claims against the
43 applicant and claims against the governing body.

44 [4.] 5. Collections shall only be conducted at intersections controlled by
45 electronic signal lights or by four-way stop signs.

46 [5.] 6. The governing body may set a minimum age requirement for all
47 individuals participating in charitable solicitation activities under this section.

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